

REMARKS

In the Final Office Action of December 22, 2008, claims 1, 5, 8, 12 and 16 were rejected under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the enablement requirement with respect to the limitation of “*such that each of the transmission start moments coincides with the beginning of one of the waiting time periods.*” In addition, claims 1-4, 6-20, 22 and 23 were rejected under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent Number 7,187,692 B1 (“Ooya et al.”). Furthermore, claims 5 and 21 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Ooya et al.

With respect to the Section 112, first paragraph, rejections, Applicants have amended claims 1, 8, 12 and 16 by removing the limitation of “*such that each of the transmission start moments coincides with the beginning of one of the waiting time periods.*” Thus, the Section 112, first paragraph, rejections of claims 1, 8, 12 and 16 are now moot. With respect to claim 5 (note: claim 21 recites similar limitations as claim 5), the specification clearly supports the limitation of “*the duration of the inventory command being shorter than the duration of the transmission of the carrier signal.*” On page 9, lines 9-11, of the current application, it states that a high-frequency field or a carrier signal is maintained from moment t1 until moment t4, as shown in Fig. 2. The inventory command INVCO is sent from moment t2 up to moment t3, as shown in Fig. 2. Thus, the duration of the inventory command is shorter than the duration of the carrier signal, which supports the language of claim 5. As such, Applicants respectfully request that these Section 112, first paragraph, rejections be withdrawn.

With respect to the Section 102 and 103 rejections of claims 1-23, Applicants have amended the independent claims 1, 8, 12 and 16 to more clearly distinguish the claimed invention from the cited reference of Ooya et al. As amended, the independent claims 1, 8, 12 and 16 now recite the limitation of “*wherein each of the transmission start moments is defined only by a common selectable discrete time period and a number of waiting time periods from the carrier signal end moment,*”

which is not disclosed in the cited reference of Ooya et al. Support for these claim amendments can be found at least in Fig. 2 and on page 9, lines 19-31, of the current application. As amended, Applicants respectfully assert that the independent claims 1, 8, 12 and 16 are not anticipated by the cited reference of Ooya et al., as explained below. In view of the amendments to the claims and the following remarks, Applicants respectfully request the allowance of the pending claims 1-23.

I. Patentability of Amended Independent Claims 1, 8, 12 and 16

As amended, the independent claim 1 recites “*wherein each of the transmission start moments is defined only by a common selectable discrete time period and a number of waiting time periods from the carrier signal end moment,*” which is not disclosed in the cited reference of Ooya et al. Thus, the amended independent claim 1 is not anticipated by the cited reference of Ooya et al. As such, Applicants respectfully request that the amended independent claim 1 be allowed.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

As correctly stated on page 5 of the Office Action, the cited reference of Ooya et al. discloses a time delay between the transmitted signal 191 and the slot 1. However, in the described system of Ooya et al., each transmission start moment of the slave stations is defined by this time delay AND a slot number AND a time delay number. As an example, as illustrated in Fig. 3, the transmission start moment for the slave station B is defined by the time delay between the transmitted signal 191 and the slot 1, the slot number “2” and the time delay number “2”. Thus, the cited reference of Ooya et al. fails to disclose the limitation of “*wherein each of the transmission start moments is defined only by a common selectable discrete time period and a number of waiting time periods from the carrier signal end moment,*” as recited in the amended independent claim 1. Therefore, the amended independent claim 1 is not anticipated

by the cited reference of Ooya et al. As such, Applicants respectfully request that the amended independent claim 1 be allowed.

The above remarks are also applicable to the amended independent claims 8, 12 and 16, which recite limitations similar to the limitations of the amended independent claim 1. Thus, Applicants respectfully assert that the amended independent claims 8, 12 and 16 are also not anticipated by the cited reference of Ooya et al., and request that the amended independent claims 8, 12 and 16 be allowed as well.

II. Patentability of Dependent Claims 2-7, 9-11, 13-15 and 17-23

Each of the dependent claims 2-7, 9-11, 13-15 and 17-23 depends on one of the amended independent claims 1, 8, 12 and 16. As such, these dependent claims include all the limitations of their respective base claims. Therefore, Applicants submit that these dependent claims are allowable for the same reasons as their respective base claims. Furthermore, the dependent claims may be allowable for additional reasons.

Applicants respectfully request reconsideration of the claims in view of the remarks made herein. A notice of allowance is earnestly solicited.

Respectfully submitted,

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